

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DENNIS MONTGOMERY and the
MONTGOMERY FAMILY TRUST,

Plaintiffs,

vs.

ETREPPID TECHNOLOGIES, LLC;
WARREN TREPP; and the
UNITED STATES DEPARTMENT
OF DEFENSE,

Defendants.

AND ALL RELATED MATTERS

3:06-CV-00056-PMP-VPC
BASE FILE

3:06-CV-00145-PMP-VPC

ORDER

Before the Court for consideration is Michael Flynn's Motion to Certify Judgment (Doc. #903) filed December 18, 2008. By this motion, Flynn moves to certify the Judgment (Doc. #902) entered in his favor by the Court on December 16, 2008, in the amount of \$628,812.15, against his former clients, Dennis Montgomery, Brenda Montgomery, and the Montgomery Family Trust. Flynn seeks certification of the judgment so that he may register it in other district courts where assets of

///

1 Dennis Montgomery, Brenda Montgomery, and the Montgomery Family Trust
2 (“Montgomery”) are located.

3 On January 5, 2009, Montgomery filed a Response to Flynn’s Motion to
4 Certify Judgment (Doc. #923) together with Evidentiary Objections to and Motion to
5 Strike Declaration of Attorney Michael Flynn (Doc. #924), and an Ex Parte
6 Application for Permission to Cross-Examine Michael Flynn on his Declaration. (Doc
7 #925). These motions filed on behalf of Montgomery raise a litany of issues
8 regarding allegations contained in Flynn’s Motion to Certify Judgment and his
9 supporting Declaration. Montgomery correctly notes that the bulk of Flynn’s
10 Declaration states allegations regarding individuals and entities other than the
11 Montgomery’s. However, the Court finds it unnecessary to attempt to resolve the
12 myriad issues raised in Flynn’s Motion and Declaration regarding those who are not
13 judgement debtors. Instead, the Court will simply strike Flynn’s Declaration as
14 unnecessary and collateral to his Motion to Certify.

15 This Court has already granted a prior motion to certify judgments against
16 Montgomery (Doc. #915), and even without the allegations made by Flynn referencing
17 individuals and entities other than Montgomery, the Court finds good cause exists to
18 warrant the certification requested in Flynn’s Motion.

19 **IT IS THEREFORE ORDERED** that the Motion to Certify Judgment by
20 interested party Michael Flynn (Doc. #903) is hereby GRANTED with respect to the
21 Judgment (Doc. #902) entered December 16, 2008 in favor of Flynn and against
22 Dennis Montgomery, Brenda Montgomery, and the Montgomery Family Trust in the
23 amount of \$628,812.15.

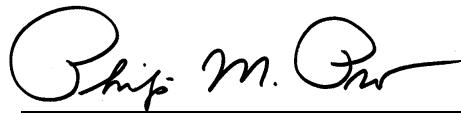
24 **IT IS FURTHER ORDERED** that Montgomery’s Motion to Strike
25 Declaration of Attorney Michael Flynn (Doc. #924) is GRANTED.

26 ///

1 **IT IS FURTHER ORDERED that** Montgomery's Emergency Motion to
2 for Permission to Cross-Examine Michael Flynn on his Declaration. (Doc. #925) is
3 DENIED.

4 **IT IS FURTHER ORDERED that** Flynn's Motion to require
5 Montgomery to file a *supersedeas* bond (Doc. #943) is DENIED.

6
7 DATED: February 4, 2009.

8 

9 PHILIP M. PRO
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26